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DISTRICT OF NEVADA	
BY:	DEPUTY

6 *Attorneys for Defendants*
 7 David Carpenter, Pamela Feil,
 and Jason O'Dea

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 RICHARD WEDDLE,
 11 Plaintiff,
 12 vs.
 13 ISIDRO BACA, et al.,
 14 Defendants.

ORDER

Case No. 3:16-cv-00634-MMD-CBC

**MOTION FOR EXTENSION OF TIME TO
 RESPOND TO DISCOVERY (FIRST REQUEST)**

15 Defendants David Carpenter, Pamela Feil, and Jason O'Dea, by and through counsel, Aaron D.
 16 Ford, Attorney General of the State of Nevada, and Douglas R. Rands, Senior Deputy Attorney
 17 General, hereby hereby submit their Motion for Extension of Time to File Responses to Plaintiffs
 18 Discovery requests. (First Request). This Motion is based on Federal Rule of Civil Procedure
 19 6(b)(1)(A), the following Memorandum of Points and Authorities, and all papers and pleadings on file
 20 in this action.

21 **MEMORANDUM OF POINTS AND AUTHORITIES**

22 **I. ARGUMENT**

23 Defendants respectfully request an extension of time from the current deadline (August 22,
 24 2019) to respond to Plaintiff's Discovery in this case. Plaintiff has served multiple requests for
 25 admissions on the Defendants. The Court previously granted an extension of time to reply to other
 26 discovery requests in this matter. The new due date for that discovery would be September 23, 2019.
 27 The Defendants respectfully request an extension, until that date, for responses to the Requests for
 28 Admissions.

1 Defense counsel submits that this Division has experienced a wave of recent retirements and
2 departures. Although the Division is depleted, new Deputy Attorneys General (DAGs) have arrived to
3 help restore normal functionality. However, the Division is still attempting to catch up on all the cases.
4 Defense counsel respectfully requests this extension to accommodate the new arrivals and the Division
5 during this transition period. Additionally, Counsel is preparing for a Jury Trial in front of Judge Du
6 which is set to commence on Tuesday, September 10, 2019, which is further stretching the resources of
7 this office.

8 Federal Rule of Civil Procedure 6(b)(1) governs extensions of time and provides as follows:

9 When an act may or must be done within a specified time, the court may,
10 for good cause, extend the time: (A) with or without motion or notice if
11 the court acts, or if a request is made, before the original time or its
extension expires; or (B) on motion made after the time has expired if the
party failed to act because of excusable neglect.

12 Defendants' request is timely and will not hinder or prejudice Plaintiff's case, but will allow for a
13 thorough opportunity to respond to the discovery requests. The requested extension of time should
14 permit the parties time to adequately research draft, and submit discovery in this case. Defendants
15 assert that the requisite good cause is present to warrant the requested extension of time. Therefore, the
16 Defendants request an extension, until September 23, 2019, to respond to Plaintiff's requests for
17 admissions.

18 DATED this 22nd day of August, 2019.

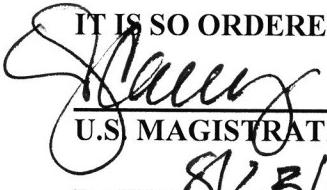
19 AARON D. FORD
20 Attorney General

21 By: 

22 DOUGLAS R. RANDS, Bar No. 3572
23 Senior Deputy Attorney General

24 *Attorneys for Defendants*

25 IT IS SO ORDERED

26 
U.S. MAGISTRATE JUDGE

27 DATED 8/23/2019

CERTIFICATE OF SERVICE

I certify that I am an employee of the Office of the Attorney General, State of Nevada, and that on this 22nd day of August, 2019, I caused to be deposited for mailing a true and correct copy of the foregoing, **MOTION FOR EXTENSION OF TIME TO RESPOND TO DISCOVERY (FIRST REQUEST)**, to the following:

Richard Weddle, #85306
High Desert State Prison
P.O. Box 650
Indian Springs, NV 89070

Jane Penny
An employee of the
Office of the Attorney General

DECLARATION

DOUGLAS R. RANDS

DECLARATION

DECLARATION OF DOUGLAS R. RANDS

1. I, Douglas R. Rands, am over the age of 18 and am otherwise fully competent to testify to the facts contained in this declaration.

2. The statements contained in this declaration, except where otherwise indicated to be upon information and belief, are based on my personal knowledge and experience.

3. I am an Attorney licensed to practice law in the Federal District Court for the District of Nevada.

4. In connection with the filing of this declaration, I submit this declaration in support of Defendant's Motion for Extension of time in the matter entitled *Weddle v Baca, et al.*, currently pending in the United States District Court, District of Nevada as Case No. 3:16-CV-00634-MMD-CBC.

5. Defense counsel has recently been reassigned this matter from another attorney.

6. I am in the process of preparing for a Jury Trial in this Court. I am scheduled, be second chair on a trial in the United States District Court for the District of Nevada.

7. This week, I am involved in trial preparation, which will take additional time in the next weeks to be fully prepared.

8. Defense counsel also submits that this Division has experienced a wave of recent retirements and departures. Although the Division is depleted, new Deputy Attorneys General (DAGs) should be arriving in early August to help restore normal functionality.

FURTHER I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

EXECUTED this 22nd day of August, 2019



Douglas R. Rands